

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PETER J. BULGARINO and
CINDY A. BULGARINO, as parents
And next friends of N.B.,
a minor child

Plaintiffs

vs.

THE HOWARD COUNTY BOARD
OF EDUCATION, et al.

Defendants

CIVIL ACTION NO. MJG-10-2608

* * * * *

MEMORANDUM AND ORDER RE: MOTION TO ALTER AND AMEND

The Court has before it the Motion to Alter and Amend Judgment [Document 20] and the materials submitted relating thereto. The Court finds a hearing unnecessary.

As stated by Judge Ramsey in Weyerhaeuser Corp. v. Koppers Co., Inc.:

A motion for reconsideration (or, to alter or amend judgment) made pursuant to Fed. R. Civ. P. 59(e) may be made for one of three reasons: (1) an intervening change in the controlling law has occurred, (2) evidence not previously available has become available, or (3) it is necessary to correct a clear error of law or prevent manifest injustice.

771 F. Supp. 1406, 1419 (D. Md. 1991) (citation omitted). Such a motion "cannot be used to raise arguments which could, and should, have been made before [the determination to be

reconsidered] issued." Federal Deposit Ins. Corp. v. Meyer, 781 F. 2d 1260, 1268 (7th Cir. 1986) (citation omitted).

Defendants noted in their Opposition [Document 22] that Plaintiffs have merely sought to reargue the points that the Court has rejected. Plaintiffs did not even trouble themselves to file a reply.

It suffices for the Court to state that Plaintiffs present no issue that was not adequately addressed in the Memorandum and Order. Nor do they present a persuasive reason for the Court to change its view of this case.

Accordingly, the Motion to Alter and Amend Judgment [Document 20] is DENIED.

SO ORDERED, this Tuesday, December 20, 2011.

_____/s/_____
Marvin J. Garbis
United States District Judge